

Notice of Allowability

Application No.

10/080,936

Examiner

Alexander J. Kosowski

Applicant(s)

LINDEMANN ET AL.

Art Unit

2125

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 12/8/05.
2. ☒ The allowed claim(s) is/are 1-3,5-9 and 11-24.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1) Claims 1-3, 5-9, and 11-23, as amended 12/8/05, and new claim 24 are presented for examination in light of the amendment filed 12/8/05.

Claim Objections

2) The claim objections from the previous office action are withdrawn in light of the amendment filed 12/8/05.

EXAMINER'S AMENDMENT

3) An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Kestenbaum on 12/22/05.

4) The application has been amended as follows:

Please replace claim 1 with the following:

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1. (Currently Amended) A process for producing a shaped body by selective laser melting, in which a shaped body is built up from pulverulent metallic material using CAD data of a model, comprising the following steps:
- applying a powder layer using an applicator unit,
 - fixing the applied powder layer to a layer below it using a focused laser beam,
 - applying another powder layer selectively by the applicator unit to regions of a surface of the shaped body
 - levelling the powder layer to a desired layer thickness as a result of a levelling device being positioned at least once above the shaped body or as a result of a levelling device passing over the shaped body at least once, and
 - uncovering uneven or projecting sections of the powder layer, which was melted last using the laser beam and which are larger than a predetermined layer thickness for a next powder layer that is to be processed and project above the desired layer thickness by the levelling device.

Allowable Subject Matter

- 5) Claims 1-3, 5-9, and 11-24 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Referring to claim 1, Langer (U.S. Pat 5,582,876), alone or in combination with the prior art of record, does not explicitly teach a process for producing a shaped body by selective laser melting comprising leveling a powder layer to a desired thickness and as a result of a leveling device passing over a shaped body at least once, uncovering uneven or projecting sections of the

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powder layer that was melted last and project above the desired layer thickness, in combination with the remaining elements or features of the claimed invention.

Referring to all other claims, the claims are dependent on claim 1, and are therefore also allowable.

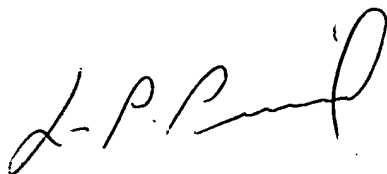
Conclusion

6) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander J Kosowski whose telephone number is 571-272-3744. The examiner can normally be reached on Monday through Friday, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on 571-272-3749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. In addition, the examiner's RightFAX number is 571-273-3744.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Alexander J. Kosowski
Patent Examiner
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**LEO PICARD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100**